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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/824,305	04/02/2001	Umesh Mahajan	21710-67784	9391
28062	7590	06/19/2006	EXAMINER	
BUCKLEY, MASCHOFF, TALWALKAR LLC 5 ELM STREET NEW CANAAN, CT 06840			ALPERT, JAMES M	
			ART UNIT	PAPER NUMBER
			3624	

DATE MAILED: 06/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/824,305

Applicant(s)

MAHAJAN ET AL.

Examiner

James Alpert

Art Unit

3624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 02 April 0201.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-25 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-25 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 2/24 4/1 10/3.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

The application, received on 04/02/2001 has been examined, and Claims 1-25 are pending. The examiner will make reference to the published application of the instant application, which is U.S. Publication Application #2002/0143690, hereinafter "Mahajan", when citing portions of the specification. The objections and rejections are as stated below.

#### ***Claim Rejections - 35 USC § 112 2<sup>nd</sup> Paragraph***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 6-7,12,18-19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, these claims each refer to various modules or components, which are not supported in the specification with sufficient detail to be understood by one of ordinary skill in the art. By way of example, at the intermediate level, "Market Data" is described in the specification as dynamic market and product information from feed handler, and the feed handler is then later described as receiving data from Reuters/SSL, RTS. See (Mahajan, Para. 69). A second example is the source-level "Order Interface", mentioned at (Mahajan, Para. 32, item 25), but never discussed again. While one of ordinary skill in the art can discern generally what market data is and what an order interface is, these one-line descriptions are entirely too brief to such that the ordinary practitioner would understand applicants' claims. Corrective measures will be required.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-25 are rejected under 35 U.S.C. 102(e) as being anticipated by Buist, U.S. Patent #6408282. Before detailing the rejection, the examiner reminds applicant that although the application is read in light of the specification, the claims still must be given the broadest reasonable interpretation. See In re Hyatt, 211 F.3d 1367, 1372, 54 USPQ2d 1664, 1667 (Fed. Cir. 2000).

**Then with regard to Claims 1,4,13,16,24-25**, Buist teaches a method, apparatus, and medium encoded for:

displaying a presentation layer comprising a user interface or a workspace;  
(Col. 3, lines 45-53)

supplying information to the interface and transferring information from the interface through at least one intermediate component layer; (Figure 2, items 30,40)

supplying information to said intermediate component layer and transferring information from said intermediate component layer through at least one information source layer; and (Figure 2, item 50)

said user interface or said workspace further comprises at least one sub interface, which sub interface is selected from the group comprising:

an order entry interface, (Figures 11,15)

an order modification interface, (Figures 11,15,23)

an order monitoring interface, (Figures 7,15)  
an instrument monitoring interface, and (Figures 14,15)  
a market monitoring interface. (Figures 13,15,16c,20) and;

**With regard to Claims 2,14,** Buist teaches a method and apparatus wherein:  
said user interface further comprises a workspace. (Figures 5a-5b,11)

**With regard to Claims 3,15,** Buist teaches a method and apparatus wherein:  
said workspace further comprises a graphical user interface. (Figure 5a-5b)

**With regard to Claims 5,17,** Buist teaches a method and apparatus wherein:  
said sub interface further comprises a window. (Figure 11)

**With regard to Claims 6,18,** Buist teaches a method and apparatus wherein:  
said intermediate component layer further comprises at least one component selected from the group comprising a Product Master component, a Market Data component, a User Profile component, and an OMA Extensions component. (Figure 4)

**With regard to Claims 7,19,** Buist teaches a method and apparatus wherein:  
said information source layer further comprises at least one information source chosen from the group comprising a Product Server information source, a Feed Handler information source, and an Order Interface information source.  
(Col. 7, line 56 – Col. 8, line 2)

**With regard to Claim 8,20,** Buist teaches a method and apparatus wherein:  
said intermediate component layer is comprised of at least one intermediate component selected from a predetermined group of intermediate components, wherein said selection occurs at least in part based upon the sub interface or sub interfaces chosen.  
(See Figures 1-2; Col. 6, line 62 – Col. 7, line 12; Col. 8, lines 48-62; discussing arrangements based on broker/dealer participation and other factors relating to type of trading being completed, which effects the type of GUI presented to the user)

**With regard to Claim 9,21,** Buist teaches a method and apparatus wherein:

said information source layer is comprised of at least one information source selected from a predetermined group of information sources, wherein said selection occurs at least in part based upon the sub interface or sub interfaces chosen.  
(See Figures 1-2; Col. 6, line 62 – Col. 7, line 12; Col. 8, lines 48-62; discussing arrangements based on broker/dealer participation and other factors relating to type of trading being completed, which effects the type of GUI presented to the user)

**With regard to Claim 22,** Buist teaches a method further comprising:

trading a financial instrument through said user interface. (Figure 11)

**With regard to Claim 23,** Buist teaches a method further comprising:

trading said instrument through aggregate pricing of said instrument.  
(Col. 32, lines 58-62)

**With regard to Claim 10,** Buist teaches an apparatus wherein:

said workspace is user configurable.  
(Figure 16,)

**With regard to Claim 11,** Buist teaches an apparatus wherein:

said workspace has a default configuration.  
(Figures 5a,5b; Col. 18, lines 17-21a)

**With regard to Claim 12,** Buist teaches an apparatus wherein:

said default configuration comprises a New Orders window and an Executions window.  
(Figures 5a,5b which demonstrates a new orders and open orders list, along with order verification for execution)

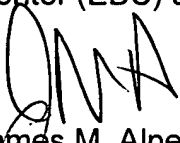
### ***Conclusion***

THIS ACTION IS NON-FINAL. Any inquiry concerning this communication or earlier communications from the examiner should be directed to James Alpert whose telephone number is (571) 272-6738. The examiner can normally be reached on M-F 9:30-6:00. If attempts to reach the examiner by telephone are unsuccessful, the

Art Unit: 3624

examiner's supervisor, Vincent Millin can be reached on (571) 272-6747. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197.

  
James M. Alpert  
June 9, 2006

VINCENT MILLIN  
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